

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF AGRICULTURE
ANIMAL SERVICES DIVISION**

1. **Title and its heading:** 3, Department of Agriculture
Chapter and its heading: 2, Department of Agriculture - Animal Services Division
Article and its heading: 9, Egg and Egg Products Control
Section numbers: R3-2-906
2. **The subject matter of the proposed rule:**
HB 2068, brought before the 1999 legislative session, is proposing a change to the ambient temperature requirement in A.R.S. § 3-727(A) for the refrigeration of shell eggs for home consumption from 60° to 45°. This rulemaking reflects that proposed statutory change.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Shirley Conard, Rules Specialist
Address: Arizona Department of Agriculture
1688 West Adams, Room 235
Phoenix, Arizona 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., and oral comments will be accepted Monday through Friday, 8 a.m. to 4 p.m., at the address listed in question #4.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF AGRICULTURE
PLANT SERVICES DIVISION**

1. **Title and its heading:** 3, Department of Agriculture
Chapter and its heading: 4, Department of Agriculture - Plant Services Division
Article and its heading: 7, Fruits and Vegetables Standardization
8, Citrus Fruit Standardization
Section numbers: R3-4-744, R3-4-745, and R3-4-817
2. **The subject matter of the proposed rule:**
This rulemaking establishes that exported commodities are free from live insects if prescribed by the receiving country and provides procedures for an exemption from citrus fruit standardization and fruit or vegetable standardization prescribed in A.R.S. §§ 3-450 and 3-491. *(The supervisor shall exempt any fruit or vegetable commodity from all rules established pursuant to section 3-487 [3-445], subsection (B), paragraphs 1 through 5 and shall exempt the collection of assessments for the commodity subject to this article if the exemption is supported by at least fifty-one per cent of the producers who produce fifty-one per cent of the total quantity of that particular fruit or vegetable commodity that was marketed during the preceding year and all of the other requirements of this section have been met.)*
3. **A citation to all published notices relating to the proceeding:**
None.

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4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Shirley Conard, Rules Specialist
Address: Arizona Department of Agriculture
1688 West Adams, Room 235
Phoenix, Arizona 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:
Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., and oral comments will be accepted Monday through Friday, 8 a.m. to 4 p.m., at the address listed in question #4.

6. A timetable for agency decisions or other action on the proceeding, if known:
None.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF HOMEOPATHIC MEDICAL EXAMINERS

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 38, Board of Homeopathic Medical Examiners
Article and its heading: 3, Education, Supervision, and Delegation Standards for Registration of Medical Assistants by Homeopathic Physicians
Section numbers: R4-38-301 through R4-38-311 (*Section numbers may be added, deleted or modified during this rulemaking to address the subject matter in question #2, below.*)
- 2. The subject matter of the proposed rule:**
The Board is amending this Article that defines terms used in the Article and establishes criteria for the registration of medical assistants under this Chapter.
- 3. A citation to all published notices relating to the proceeding:**
None published.
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Christine Springer
Address: 1400 West Washington, Room 230
Phoenix, Arizona 85007
Telephone: (602) 542-3095
Fax: (602) 542-3093
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted between 8 a.m. and 5 p.m., Monday through Friday, at the address listed in question #4, until the close of record. Oral comments will be accepted at the oral proceedings. No date has been selected for the close of record and no oral proceedings have been scheduled.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF WATER RESOURCES

- 1. Title and its heading:** 12, Natural Resources
Chapter and its heading: 15, Department of Water Resources
Article and its heading: 8, Well Construction and Licensing of Well Drillers
Section numbers: R12-15-830, R12-15-831 and R12-15-832
- 2. The subject matter of the proposed rule:**
A.R.S. § 49-287.01 requires the Director of the Department of Environmental Quality to maintain a registry of sites where possible or threatened release of a hazardous substance has been identified. These rules establish a process requiring the Department of Water Resources to notify any applicant seeking a permit to drill a well if the proposed well location is in a groundwater subbasin containing a site listed on the registry. The rules require the Director of Water Resources to evaluate whether the well

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may present a risk of vertical cross-contamination, to establish drilling requirements, to notify potentially affected well owners of record in the area, and to provide them an opportunity to comment on any vertical cross-contamination investigations that will be conducted by the Department of Water Resources. In addition, the rules require a person drilling a well located within a site on the registry to notify the Water Quality Assurance Program Section of the Department of Water Resources at least 2 days in advance of commencement of drilling.

3. **A citation to all published notices relating to the proceeding:**

None published.

4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Mason Bolitho, Manager
Water Quality Assurance Program

Address: Arizona Department of Water Resources
500 North 3rd Street
Phoenix, Arizona 85007

Telephone: (602) 417-2473

Fax: (602) 417-2426

or

Name: Tim Gibson, Water Resource Specialist
Water Quality Assurance Program

Address: Arizona Department of Water Resources
500 North 3rd Street
Phoenix, Arizona 85007

Telephone: (602) 417-2473

Fax: (602) 417-2426

5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department of Water Resources accepts written comments Monday through Friday between 8 a.m. and 5 p.m. An informal workshop will be held in the 3rd Floor Conference Room A on Tuesday, April 6, 1999, at 10 a.m. at the office of the Department of Water Resources, 500 North 3rd Street, Phoenix, Arizona.

If requested, the Department of Water Resources will schedule an oral proceeding within the statutorily mandated time-frame, which will be noticed in the *Register*.

6. **A timetable for agency decisions or other action on the proceeding, if known:**

The Department of Water Resources is preparing Proposed Rules for publication in the *Register*.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA RACING COMMISSION

1. **Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery, and Gaming
- Chapter and its heading:** 2, Arizona Racing Commission
- Article and its heading:** 5, Pari-Mutuel Wagering
- Section numbers:** R19-2-521, R19-2-522

2. **The subject matter of the proposed rule:**

Amend existing criteria for Department approval of horse and dog simulcast races to sites other than racetrack enclosures.

3. **A citation to all published notices to the proceeding:**

None.

4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Dasha Marush

Address: Arizona Department of Racing
3877 North 7th Street, Suite #201
Phoenix, Arizona 85014

Telephone: (602) 277-1704

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Fax: (602) 277-1165

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:
The Commission will accept written comments until April 30, 1999. No oral proceedings have been scheduled.
6. A timetable for agency decisions or other action on the proceeding, if known:
None.